

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DAVID DOHERTY, JR.,
Plaintiff

v.

CITY OF YORK, et al.,
Defendants

NO. 1:10-CV-0812

JUDGE JONES

Electronically Filed

**JOINT STIPULATION TO DISMISS DEFENDANTS SCOTT NADZOM,
JAMES McBRIDE, SHAWN WOLFE, CHRISTOPHER KEPPEL,
DANIEL HOUSEL, JOHN BUMSTED, CHRISTOPHER Nawrocki,
AND NORTHEASTERN REGIONAL POLICE DEPARTMENT
FROM THE COMPLAINT**

The parties, by their attorneys, jointly agree and request that this Court dismiss Defendants Scott Nadzom, James McBride, Shawn Wolfe, Christopher Keppel, Daniel Housel, John Bumsted, Christopher Nawrocki, and Northeastern Regional Police Department from the complaint as follows:

1. On February 24, 2010, plaintiff filed a civil complaint against Defendants in the United States District Court for the Middle District of Pennsylvania at Case Number 1:10-CV-0812 (hereinafter “Original Complaint”);
2. The Original Complaint alleged, inter alia, violations of Plaintiff’s Fourth Amendment rights pursuant to 42 U.S.C. §1983;
3. The aforementioned action was placed into mandatory mediation;

4. In an effort to streamline this litigation, the parties hereto desire to dismiss Defendants Scott Nadzom, James McBride, Shawn Wolfe, Christopher Keppel, Daniel Housel, John Bumsted, Christopher Nawrocki, and Northeastern Regional Police Department from the pending litigation without prejudice; and

5. As a result of this stipulation, the Commonwealth Defendants' motion to dismiss is rendered moot.

WHEREFORE, the Court should dismiss Defendants Scott Nadzom, James McBride, Shawn Wolfe, Christopher Keppel, Daniel Housel, John Bumsted, Christopher Nawrocki, and Northeastern Regional Police Department from the Complaint, without prejudice, and render moot the Commonwealth Court's motion to dismiss.

/s/ Gregg L. Zeff

Gregg L. Zeff, Esquire
ZEFF LAW FIRM, LLC
100 Century Parkway, #305
Mount Laurel, NJ 08054
Counsel for Plaintiff Doherty

/s/ Sarah C. Yerger

Sarah C. Yerger
Senior Deputy Attorney General
OFFICE OF ATTORNEY GENERAL
Litigation Section
15th Floor, Strawberry Square
Harrisburg, PA 17120
*Counsel for Defendants City of York
Nadzom, Seelig, Wolfe, Keppel,
Housel, Bumsted, and McBride*

/s/ Gary H. Dadamo

Gary H. Dadamo, Esquire
LAVERY, FAHERTY, YOUNG &
PATTERSON, P.C.
225 Market Street, Suite 304
P.O. Box 1245
Harrisburg, PA 17108-1245
Counsel for Defendant City of York

/s/ David L. Schwalm

David L. Schwalm, Esquire
THOMAS THOMAS & HAVER, LLP
305 North Front Street
P.O. Box 999
Harrisburg, PA 17108-0999
*Counsel for Defendant Northeastern
Regional Police Department*

PETER J. SMITH
United States Attorney

/s/ Michael J. Butler

Michael J. Butler
Assistant United States Attorney
UNITED STATES ATTORNEY'S OFFICE
228 Walnut Street, 2nd Floor
P.O. Box 11754
Harrisburg, PA 17108
Counsel for Defendant Nawrocki

CERTIFICATE OF SERVICE

I, SARAH C. YERGER, Senior Deputy Attorney General for the Commonwealth of Pennsylvania, Office of Attorney General, hereby certify that on October 27, 2010, I caused to be electronically served a copy of the foregoing document titled **JOINT STIPULATION TO DISMISS DEFENDANTS SCOTT NADZOM, JAMES McBRIDE, SHAWN WOLFE, CHRISTOPHER KEPPEL, DANIEL HOUSEL, JOHN BUMSTED, CHRISTOPHER Nawrocki, AND NORTHEASTERN REGIONAL POLICE DEPARTMENT FROM THE COMPLAINT** upon the following:

Gregg L. Zeff, Esquire
ZEFF LAW FIRM, LLC
100 Century Parkway, #305
Mount Laurel, NJ 08054
zeff@glzefflaw.com
(*Counsel for Plaintiff*)

Donald B. Hoyt, Esquire
Assistant City Solicitor, City of York
One Marketway West, 3rd Floor
York, PA 17401
pzerba@yorkcity.org
(*Counsel for Defendant City of York*)

Frank J. Lavery, Jr., Esquire
Gary H. Dadamo, Esquire
LAVERY, FAHERTY, YOUNG & PATTERSON, P.C.
225 Market Street, Suite 304
P.O. Box 1245
Harrisburg, PA 17108-1245
flavery@laverylaw.com
gdadamo@laverylaw.com
(*Counsel for Defendant City of York*)

Anthony R. Sherr, Esquire
MAYERS, MENNIES & SHERR, LLP
3031 Walton Road, Bldg. A – Ste. 230
P.O. Box 1547
Blue Bell, PA 19422-0440
tsherr@mmsllp.com

(Counsel for Defendant Northeastern Regional PD)

David L. Schwalm, Esquire
THOMAS THOMAS & HAVER, LLP
305 North Front Street
P.O. Box 999
Harrisburg, PA 17108-0999
dschwalm@tthlaw.com

(Counsel for Defendant Northeastern Regional PD)

Michael J. Butler
Assistant United States Attorney
UNITED STATES ATTORNEY'S OFFICE
228 Walnut Street, 2nd Floor
P.O. Box 11754
Harrisburg, PA 17108-1754
Michael.j.butler@usdoj.gov

(Counsel for Defendant Nawrocki)

s/Sarah C. Yerger

SARAH C. YERGER
Senior Deputy Attorney General